

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Case D. Roman

Write the full name of each plaintiff.

CV
(Include case number if one has been assigned)

-against-

Fennius Eilish
Billy Eilish

Interscope Records / Darkroom Records
Universal Music Group
Universal Music Group Holding Company
Et Al.

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

COMPLAINT

Do you want a jury trial?
☐ Yes ☒ No

NOV 13 PM 1:10
STAY
RECEIVED
CLERK OF COURT

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ **Federal Question**

☐ **Diversity of Citizenship**

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

See Page (4) of attached documents

B. If you checked Diversity of Citizenship**1. Citizenship of the parties**

Of what State is each party a citizen?

The plaintiff, Core D. Thomas, is a citizen of the State of
 (Plaintiff's name)

New York, or The United States of America
 (State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

 If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, Universal Music Group, is a citizen of the State of
(Defendant's name)

California / Delaware / New York

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

If the defendant is a corporation:

The defendant, Interscope Records, is incorporated under the laws of
the State of California / Delaware

and has its principal place of business in the State of California

or is incorporated under the laws of (foreign state) _____

and has its principal place of business in _____.

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.


<u>Carce</u>	<u>D.</u>	<u>Thomas</u>
First Name	Middle Initial	Last Name
<u>4065-45 Parsons Blvd #1M #</u>		
Street Address		
<u>Fresh Meadows</u>	<u>NY</u>	<u>Domestic Republic</u>
County, City	State	Zip Code
<u>(347) 262-3434</u>	<u>Thomasinelectric@yahoo.com</u>	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:	<u>Finneas</u>	<u>Eilish</u>
	First Name	Last Name
	<u>Music Producer</u>	
	Current Job Title (or other identifying information)	
	<u>Darkroom Records/Interscope/Universal Music Group</u>	
	Current Work Address (or other address where defendant may be served)	
	<u>California / Delaware /</u>	
	County, City	State Zip Code
Defendant 2:	<u>Universal Music Group</u>	
	First Name	Last Name
	<u>Entertainment Entity</u>	
	Current Job Title (or other identifying information)	
	<u>Universal Music Group</u>	
	Current Work Address (or other address where defendant may be served)	
	<u>California / Delaware / NY / The Netherlands</u>	
	County, City	State Zip Code
Defendant 3:	<u>Universal Music Group Holding Company</u>	
	First Name	Last Name
	<u>Holding Company</u>	
	Current Job Title (or other identifying information)	
	Current Work Address (or other address where defendant may be served)	
	<u>California</u>	
	County, City	State Zip Code

Defendant 4:

 ET AL.

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: nationwide / world wide, youtube.

Date(s) of occurrence: November 12th 2020 - Present

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

see attached documents 1-20

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

See attached documents 1-20

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

See attached document 1-20

(1)

on November 10th I the plaintiff had uploaded a video on and YouTube, and also on Facebook and YouTube November 11th 2020, of a recording of an audio music recording that I had created which was also collared with an image, and a silent video clip. I created the collage as well, and made several other screen recordings of the audio music recording that was contained in the videos which was posted. On December 16th 2020, I was in my car when I heard my music being played on the radio, I was completely devastated because it was my birthday and what was supposed to have been a day to enjoy myself, it wasn't. I had heard the radio DJ give the name of the song and the artist when the song finished playing, and when I Googled the song and artist a video came up showing that the song had been released on November 12th 2020. At the time it was at at least 200 million views. As I continued to research I learned that the artist had released the song through that YouTube posting, and the song was said to have been created in 13 hours, and the video was created within 24 hours and immediately released I would presume it was for deadline reasons. I look to see if there were any other Snippets or postings of the song before it's release date and there had only been one snippet of the song which was released on Instagram November 11th 2020, there is absolutely no other record of the song being published and or available to the public before November 11th 2020. Again the release of my song was Prior to November 11th 20/20.

The music I created was a beatbox, of verbal instrumentation, vocal verbiage, and mouth

mechanics instrumentation, the creative process that I use is also used by renowned music producers ranging from Hall of Fame in rock and roll inductees those who are considered some of the best instrumentalists and music producers known throughout the world, such as Timberland, and Michael Jackson to name a few.

I have been doing verbal/ mouth mechanical instrumentation as a way to create my own music and as a stress coping mechanism since the age of three years old. I had decided to become a music producer and artist with The Branding of mostly positive music, and intended to put out influential music that would project messages to support the greater good, which is what I had done with the song I had released which is titled Ashe. The collage that I had posted on youtube, facebook, and Twitter prior to the release of Billie eilish video and song therefore I am, contained an image of a woman who was an activist against Injustice, and an activist for the lgbtq rights, the woman had passed away after being great twice by the same man one day after the other, and she was Nigerian her name was toyen, also on the collage was a silent news clip of Nigerians protesting to end SARS, and lastly was a vibration visual video recording of my music, my song song ashes. Billie eilish's song infringes upon my music and in addition has contributed to and caused destruction, interference, dilution, as well as other injuries to my branding to being used for which it was originally intended without my consent or permission, attached to contracts without my permission, profited without my permission nor any compensation. My injuries also include emotional distressed. The lyrics that was added to my music disturb(s) my peace and contentment that my music had given me, as it was

(3)

also therapeutic for me to relieve that stress, and to convert it into positive energy by being supportive of people who sought human rights against injustice.

I am claiming copyright infringement excluding the following time frames contained in the duration timeline of the YouTube video of Billie eilish's song therefore I am:

See Exclusion
page (3b)

The infringements contained in the song "Therefore I am" are from Billie eilish's lyrical sections individually, digital instrumentation sections individually, and also a combination of both lyrical sections and digital instrumentation sections combined which take significant portions of my song "Ashes". In the lyrical hook of the song which begins with the words "I'm not your friend", reverses portions of the melody in my song Ashe. And comparing the two songs the elements in which infringe on either the mouth mechanic instrumentation of my song, the verbal/vocal/verbage instrumentation of my song, and or a combination of the two are as followed; rhythm, melodic Contour, melodies, harmonies, style, genre, tonal harmony, timbre, overall contour, same rhythm, orchestration, and are substantially similar.

Contained in this complaint is my registered copyright of my songs, and the supportive federal laws that protect intellectual property rights. This lawsuit is against all who were involved being the artist, the producer, record label, distributor, holding companies and Trust who have collected any assets in connection with the song therefore I am, the derivatives of it made without my permission, and in the event the the content of the song therefore I am was changed to another and profits was collected under that name and or illegitimately transferred to other figures, establishments, businesses, entities, and or authorities, et al.

All involved obtain profits, royalties, opportunities, accolades, accolades, and illegitimate rights, contracts, and entitlements, credits, permissions

I am a pro se litigant, and for all of the damages I am demanding an injunction, a relinquishing of rights, contracts, entitlements, profits, royalties, and accolades, credits, permissions. I demand for injunctive relief, The maximum amount for punitive damages, all profits, donations, gifts, rights, entitlements, credits, royalties, value and accolades, ~~Statutory Damages, actual damages, Profits,~~ ~~to 200,000~~ Impoundment

- Injuries Include a lose of opportunity to having a better relationship with major Entertainment Entities due to this conflict and necessary legal proceedings.
- Business Interferes.
- Violation of copyright Rights
- Misrepresentation
- Infringement
- Registered Copyright (see page (19))

Laws Violated include

- Copyright Act of 1976
- Lanham Act
- DMCA
- 18 U.S.C § 2318
- 17 U.S.C § 1202
- 17 U.S.C § 501

caze Thomas

Subject to sections 107 through 122, the owner of copyright under this title has the exclusive rights to do and to authorize any of the following: (1) to reproduce the copyrighted work in copies or phonorecords; (2) to prepare derivative works based upon the copyrighted work; (3) to distribute copies or phonorecords of the copyrighted work to the public by sale or other transfer of ownership, or by rental, lease, or lending; (4) in the case of literary, musical, dramatic, and choreographic works, pantomimes, and motion pictures and other audiovisual works, to perform the copyrighted work publicly; (5) in the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work, to display the copyrighted work publicly; and (6) in the case of sound recordings, to perform the copyrighted work publicly by means of a digital audio transmission.

(a) Anyone who violates any of the exclusive rights of the copyright owner as provided by sections 106 through 122 or of the author as provided in section 106A(a), or who imports copies or phonorecords into the United States in violation of section 602, is an infringer of the copyright or right of the author, as the case may be. For purposes of this chapter (other than section 506), any reference to copyright shall be deemed to include the rights conferred by section 106A(a). As used in this subsection, the term "anyone" includes any State, any instrumentality of a State, and any officer or employee of a State or instrumentality



of a State acting in his or her official capacity. Any State, and any such instrumentality, officer, or employee, shall be subject to the provisions of this title in the same manner and to the same extent as any nongovernmental entity. (b) The legal or beneficial owner of an exclusive right under a copyright is entitled, subject to the requirements of section 411, to institute an acti

Fri, Nov 10 at 10:49 AM

caze Thomas <thomasinelectric@yahoo.com>

To:

caze Thomas

Fri, Nov 10 at 10:51 AM

Subject to sections 107 through 122, the owner of copyright under this title has the exclusive rights to do and to authorize any of the following:

- (1) to reproduce the copyrighted work in copies or phonorecords;
- (2) to prepare derivative works based upon the copyrighted work;
- (3) to distribute copies or phonorecords of the copyrighted work to the public by sale or other transfer of ownership, or by rental, lease, or lending;

(4)in the case of literary, musical, dramatic, and choreographic works, pantomimes, and motion pictures and other audiovisual works, to perform the copyrighted work publicly;

(5)in the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work, to display the copyrighted work publicly; and

(6)in the case of sound recordings, to perform the copyrighted work publicly by means of a digital audio transmission.

(a)Anyone who violates any of the exclusive rights of the copyright owner as provided by sections 106 through 122 or of the author as provided in section 106A(a), or who imports copies or phonorecords into the United States in violation of section 602, is an infringer of the copyright or right of the author, as the case may be. For purposes of this chapter (other than section 506), any reference to copyright shall be deemed to include the rights conferred by section 106A(a). As used in this subsection, the term “anyone” includes any State, any instrumentality of a State, and any officer or employee of a State or instrumentality of a State acting in his or her official capacity. Any State, and any such instrumentality, officer, or employee, shall be subject to the provisions of this title in the same manner and to the same extent as any nongovernmental entity.

(b) The legal or beneficial owner of an exclusive right under a copyright is entitled, subject to the requirements of section 411, to institute an action for any infringement of that particular right committed while he or she is the owner of it. The court may require such owner to serve written notice of the action with a copy of the complaint upon any person shown, by the records of the Copyright Office or otherwise, to have or claim an interest in the copyright, and shall require that such notice be served upon any person whose interest is likely to be affected by a decision in the case. The court may require the joinder, and shall permit the intervention, of any person having or claiming an interest in the copyright.

(c) For any secondary transmission by a cable system that embodies a performance or a display of a work which is actionable as an act of infringement under subsection (c) of section 111, a television broadcast station holding a copyright or other license to transmit or perform the same version of that work shall, for purposes of subsection (b) of this section, be treated as a legal or beneficial owner if such secondary transmission occurs within the local service area of that television station.

(d) For any secondary transmission by a cable system that is actionable as an act of infringement pursuant to section 111(c)(3), the following shall also have standing to sue: (i) the primary transmitter whose transmission has been altered by the cable system; and (ii) any broadcast station within whose local service area the secondary transmission occurs.

(e) With respect to any secondary transmission that is made by a satellite carrier of a performance or display of a work embodied in a primary transmission and is actionable as an act of

(9)

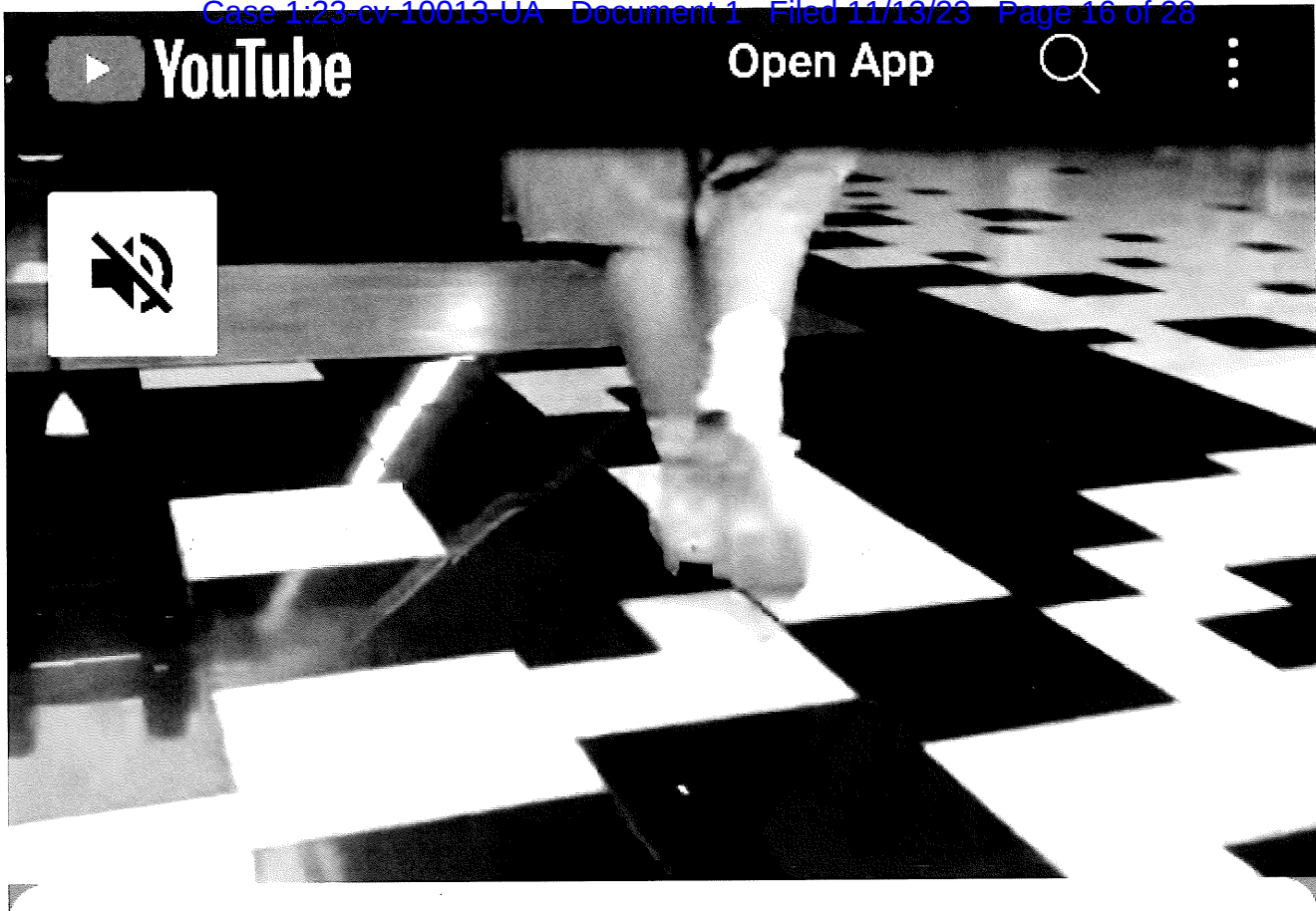
infringement under section 119(a)(3), a network station holding a copyright or other license to transmit or perform the same version of that work shall, for purposes of subsection (b) of this section, be treated as a legal or beneficial owner if such secondary transmission occurs within the local service area of that station.

(f)

(1) With respect to any secondary transmission that is made by a satellite carrier of a performance or display of a work embodied in a primary transmission and is actionable as an act of infringement under section 122, a television broadcast station holding a copyright or other license to transmit or perform the same version of that work shall, for purposes of subsection (b) of this section, be treated as a legal or beneficial owner if such secondary transmission occurs within the local market of that station.

(2) A television broadcast station may file a civil action against any satellite carrier that has refused to carry television broadcast signals, as required under section 122(a)(2), to enforce that television broadcast station's rights under section 338(a) of the Communications Act of 1934. |

10



Description



Billie Eilish - Therefore I Am (Official Music Video)



Billie Eilish

7.1M

Likes

226,712,829

Views

2020

Nov 12

Listen to "Therefore I Am" from the new album
"Happier Than Ever", out now:
<https://BillieEilish.Ink.to/HappierTh...>

Directed by Billie Eilish

Post of prior art
Posted on Facebook



Nov 11, 2020

Boy have my collages changed, 😊
I've noticed the more animated they are, The
stronger spiritual connection 🧘, what I find
fascinating is that my rough draft beatboxes, (😊
yes I'm going to convert them into instruments
later) match random footage that I'm finding on
the Internet which happened to relate t... See more



youtube.com

#EndSARS #BLM #BTLM #JusticeForTheCongo
#BidenHarris2020 #BarackIsBack #OluwatoyinSala...

From Apple Music
Interview with
Billy Elish

However, in an interview with Apple Music, she shared that the song was recorded in one day:

"We woke up at 11 in the morning and we were done by 10 at night," she said. "It was just a lot of fun writing it and recording it and everything was just flowing."

Apple Music
Interview

13

Eilish's brother Finneas, who co-wrote and produced the song with her, also shared his thoughts on the song's meaning:

"It's about not giving a f*ck what people think about you," he said. "It's about being who you are, unapologetically."

"Therefore I Am" was released on November 12, 2020, and it quickly became a hit, reaching number two on the Billboard Hot 100 chart. It was also nominated for a Grammy Award for Best Pop Solo Performance in 2021.

However, in an interview with Apple Music, she shared that the song was recorded in one day:

"We woke up at 11 in the morning and we were done by 10 at night," she said. "It was just a lot of fun writing it and recording it and everything was just flowing."



15

Videos

Shorts

Live

Playlists



Sort by ▾

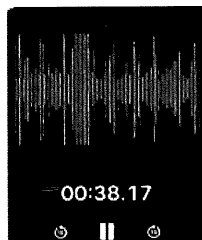
Visibility ▾

Views ▾

Rest

Draft

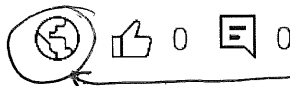
0:59



#EndSARS #BLM #BTL...

25 views • 13 hours ago

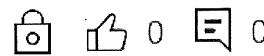
Made for kids



"Ashes" (Rough draft)be...

2 views • 2 years ago

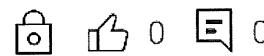
Made for kids



Ashes

3 views • 2 years ago

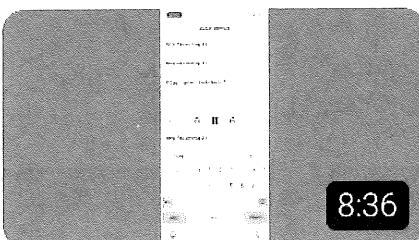
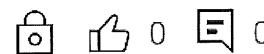
Made for kids



Ashes

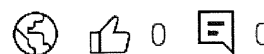
2 views • 2 years ago

Made for kids



@Zay_Cipher "Halo Hello"

39 views • 2 years ago



This was uploaded
: Nov 10th 2020
But was taken
out of public
view, and was
Recently put
back in public
view and the
publishing date
changed to the
recent date but
All views came
: From public
viewing and
most before
Nov 12th 2020



Eilish's brother Finneas, who co-wrote and produced the song with her, also shared his thoughts on the song's meaning:

"It's about not giving a f*ck what people think about you," he said. "It's about being who you are, unapologetically."

"Therefore I Am" was released on November 12, 2020, and it quickly became a hit, reaching number two on the Billboard Hot 100 chart. It was also nominated for a Grammy Award for Best Pop Solo Performance in 2021.

(17)

Prior Art
proof

10:19

LTE

mobile.twitter.com - Private

 **Tweet**

EndSARS *rough draft* beatbox for
my soundtrack and visuals. 😊 don't
worry I'm converting this to
instruments...don't judge me...it don't
really start until 16 seconds in. 😊 and
yes I'm in my car...and Excuse my
fumble 😊 my throat dry.

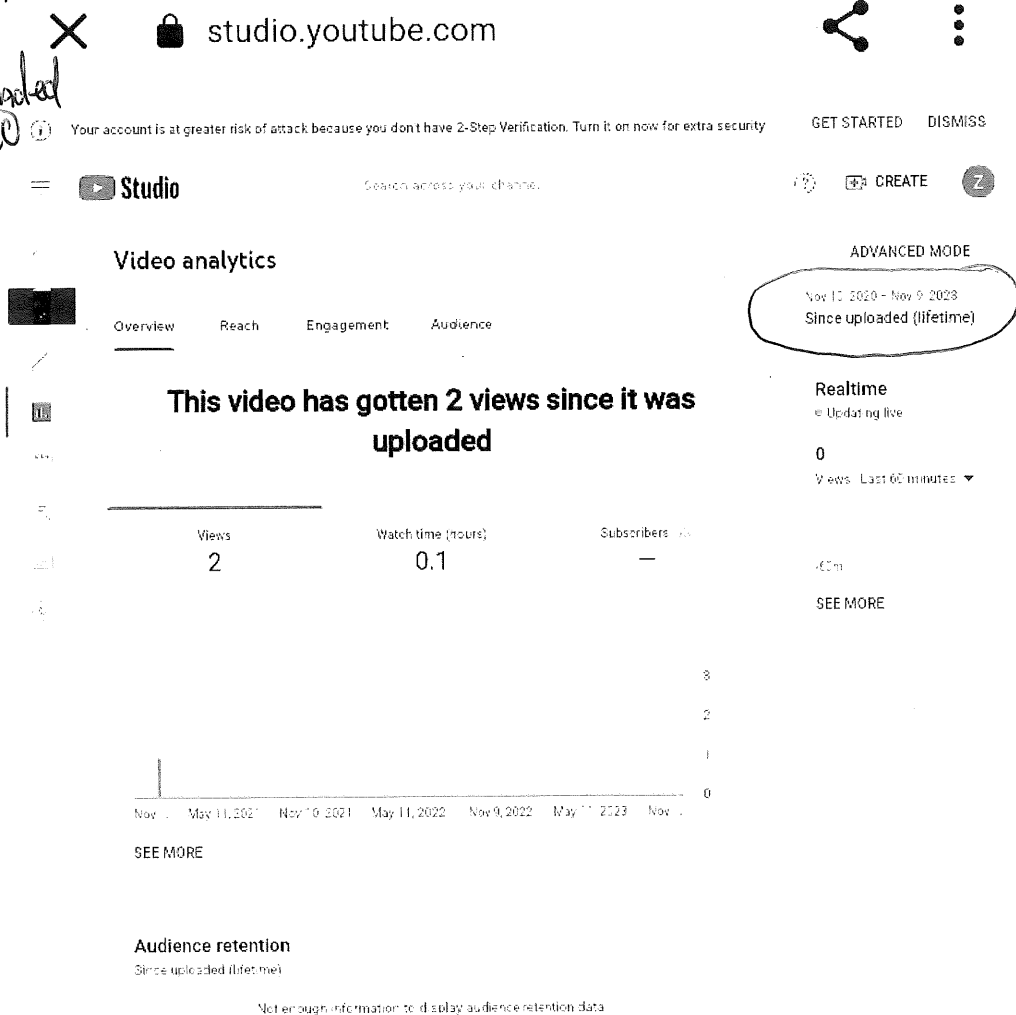


9:15 PM · Nov 10, 2020 · Twitter Web App



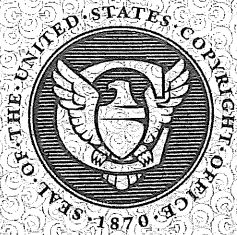
One of several
copies of the
Recording uploaded
on Nov 10th 2020

18



19

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

United States Register of Copyrights and Director

Registration Number

PAu 4-056-493

Effective Date of Registration:

December 31, 2020

Registration Decision Date:

February 08, 2021

Title

Title of Work: ASHES By CAZE

Completion/Publication

Year of Completion: 2020

Author

• Author: CAZE THOMAS
Author Created: music and lyrics
Work made for hire: No
Citizen of: United States
Domiciled in: United States
Year Born: 1977

Copyright Claimant

Copyright Claimant: CAZE THOMAS
65-45 Parsons Blvd, #1M, Fresh Meadows, NY, 11365

Rights and Permissions

Name: CAZE Thomas
Email: thomasinelectric@yahoo.com
Telephone: (347)256-0769

Certification

Name: CAZE THOMAS
Date: December 31, 2020

(20)

Additional Reliefs

From the time of my Recognition of the infringement I had sought legal representation, with some of whom ~~was~~ familiar and worked close to Major Entertainment Entities, and who had implied that they could settle for \$20K, I declined. Shortly after I ~~was~~ noticed Ms. Billy Eilish started to present herself in ways that she hadn't before. I had no idea who she was until Dec 16th 2020, when I looked at her body of work I learned that she was the singer of the song "The Bad Guy". I had heard the song "The Bad Guy" before but I never knew who sung it and never had a reason to search for or look up who did. As additional relief I ask that if there are any contracts that would force Ms. Eilish to Exploit her body or if there was a gag order that would suppress her from speak out against anyone who forced (If she was forced) to exploit her body, I ask that those contract be null, void, and unenforceable.

In the Research I had done of Ms. Eilish, She had never exposed her Body, her fans noticed the drastic change and had referenced her comments about being against doing so in her prior Interviews. These comments where made under her social media Post after she sported lingerie in a Major Magazine Photo Shoot. Ms. Eilish being subjected to any contract that would forced her to undress in front of the world is't Justice for me. I am against all sex Exploitation.

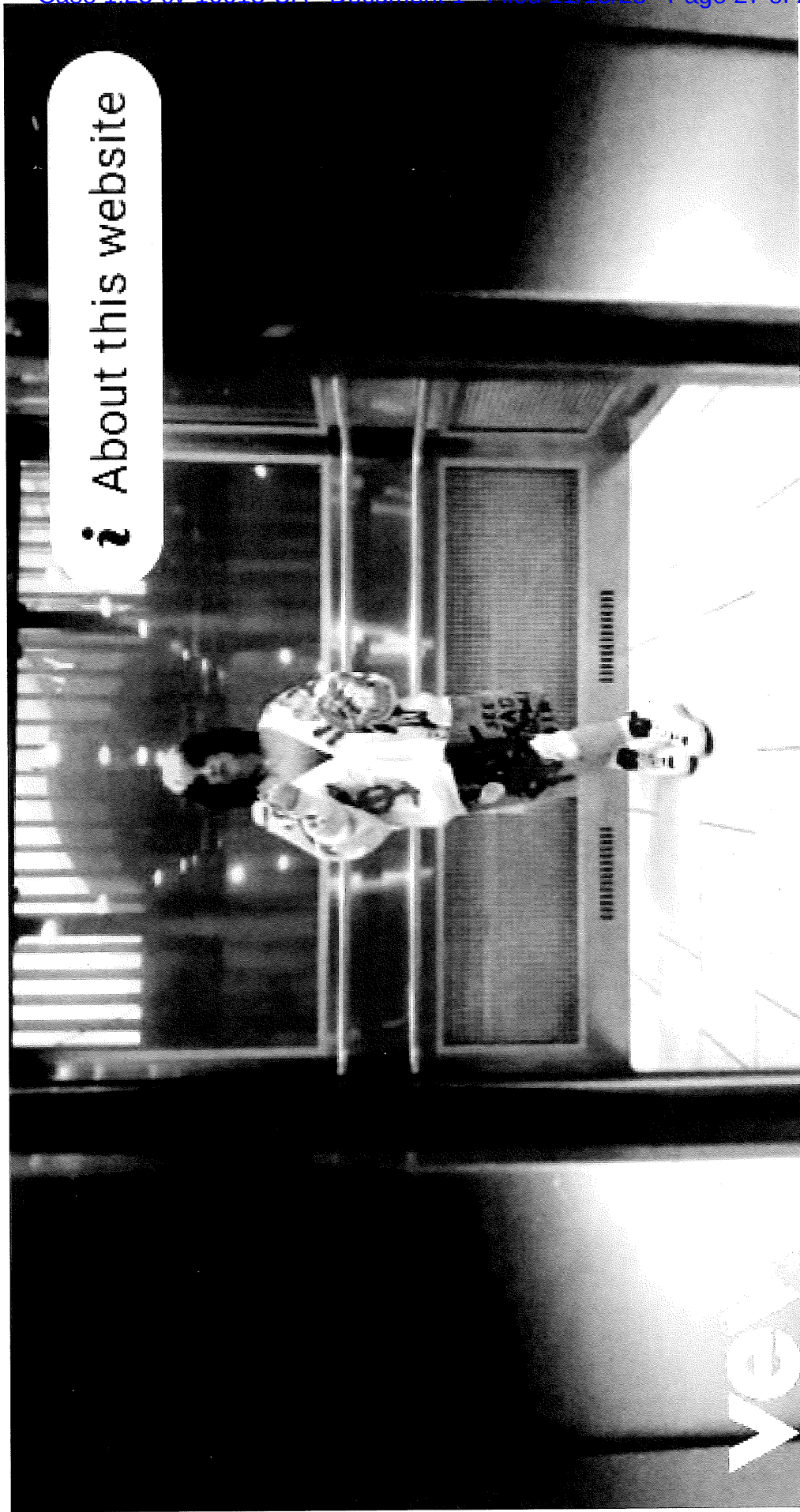
Redacted-308

Exclusion
Time
Frames

minus the lead vocals at 1:11-1:13, 2:48-2:50,
3:22-3:23, and 3:25-3:29.

(36)

Time
Reference



youtube.com

Billie Eilish - Therefore I Am (Official Music Video)

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>11/13/2023</u>		<u>Arnell B. Thomas</u>
Dated		Plaintiff's Signature
<u>Core</u>	<u>D</u>	<u>Thomas</u>
First Name	Middle Initial	Last Name
<u>1000 c/o 65-45 Parsons Blvd # 104</u>		
Street Address		<u>Domestic Republic</u>
<u>Fresh Meadows</u>	<u>NY</u>	<u>11365</u>
County, City	State	Zip Code
<u>(347) 262-3434</u>	<u>Thomasinelectric@yahoo.com</u>	
Telephone Number	Email Address (if available)	

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.